

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

JASON CRUSE,

Plaintiff,

Case No. 1:20-cv-11632

v.

Honorable Thomas L. Ludington  
Magistrate Judge Kimberly Altman

CHARLES O. OZUKWE and JEFFREY  
TANNER,

Defendants.

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**OPINION AND ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT &  
RECOMMENDATION AND DISMISSING THE COMPLAINT**

On May 18, 2020, Plaintiff Jason Cruse file a pro se complaint against Defendants in the Western District of Michigan. ECF No. 1. He alleged that Defendants Ozukwe and Tanner were informed of threats against his life and failed to protect him from a subsequent assault. ECF No. 23 at PageID.95–96. The case was transferred to the Eastern District of Michigan on June 22, 2020. ECF Nos. 1, 2, 3. All pretrial matters were referred to Magistrate Judge Kimberly Altman. ECF No. 13. On December 21, 2020, Defendants filed a motion for summary judgment. ECF No. 17. Despite an order requiring Plaintiff to respond, no response was received. ECF No. 20.

On April 20, 2021, Magistrate Judge Altman issued a report and recommended that Defendants' Motion for Summary Judgment be granted. ECF No. 23. As of June 3, 2021, no objections have been filed.

Although the Magistrate Judge's Report states that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the Report, neither party timely filed any objections. The election not to file objections to the Magistrate Judge's Report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140,

149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal. *Id.*

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 23, is **ADOPTED**.

It is further **ORDERED** that Plaintiff's Complaint, ECF No. 1, is **DISMISSED**.

Dated: June 10, 2021

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge